

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	17-cr-64-DWF-KMM
)	
EDWARD S. ADAMS,)	
)	
Defendant.)	
)	
)	

**DEFENDANT’S OPPOSITION TO GOVERNMENT’S
MOTION CONTESTING THE APPLICATION OF PRIVILEGE¹**

INDEX OF EXHIBITS

Ex. #	Description
1	Cross Reference for the Seven Privileged Communications with Murry LLC
2	Apollo Diamond, Inc. Subscription Forms dated December 21, 2003 (ESA000452); March 2, 2003 (ESA002334); and April 1, 2003 (ESA002335)
3	November 30, 2007 Record of deposit of check for \$277,500.00 from B.E. (ECL-00037960-61)
4	Complaint filed in <i>Mack and Rapello v. Adams, et al.</i> , dated May 7, 2012
5	Complaint filed in <i>Fink v. Adams, et al.</i> , dated August 2, 2012

¹ For purposes of citation in each of Mr. Adams’s three briefs filed today (Suppression Reply, Dismissal Reply, and Privilege Opposition), Mr. Adams refers to the opening brief as “Br.,” and the opposition as “Opp.” To the extent that Mr. Adams references one of the other related briefs, he has denoted those as “Suppression Br.,” “Dismissal Br.,” “Privilege Br.,” etc. For example, in the Suppression Reply, the opening post-hearing Suppression Brief (ECF 147) is cited as “Br.,” the government’s Suppression Opposition (ECF 172) is cited as “Opp.,” and the related briefs are referenced as “Dismissal Br.,” “Privilege Br.,” etc.

Ex. #	Description
6	Email dated August 10, 2012 from C. Manning to D. Gotlieb re: Apollo/Scio – Settlement Discussions (Doc ID 00052951)
V	IRS Special Agent Report (“SAR”), attaching List of Witnesses and Exhibits, Exhibit “W3-3” (<i>in camera</i> Exs. M & N), and Exhibit “W3-4” (<i>in camera</i> Ex. R) (Submitted <i>in camera</i>)
W	Challenged documents from Mr. Adams’s Privilege Log involving Mr. Monahan and/or Mr. Reilly (rows 16, 43, 63-68, 71-73, and 76-91 of his privilege log (ECF 142, Ex. 1)) (Submitted <i>in camera</i>)
X	Challenged documents from Mr. Adams’s Privilege Log involving Mr. Spitzer (rows 44-46, 69, and 74 of his privilege log) (Submitted <i>in camera</i>)
Y	Challenged documents from Mr. Adams’s Privilege Log involving Nelson Mullins LLP (rows 47-62 of his privilege log) (Submitted <i>in camera</i>)
Z	August 23, 2012 Email from E. Adams to J. Farrell, C. Cox (Doc ID 00053519) (Submitted <i>in camera</i>)
AA	February 19, 2013 Email from S. Mongillo to E. Bland, cc: R. Richter, L. Blackmer, L. Lescord, M. Shirley (Doc ID 00086372) (Submitted <i>in camera</i>)
BB	February 19, 2013 Email from E. Adams to E. Bland, R. Richter (Doc ID 0086374) (Submitted <i>in camera</i>)
CC	August 27, 2012 Memo from C. Manning to Board of Directors of SCIO Diamond Technology Corporation re: Litigation Options and Strategy (Doc ID 00115053) (Submitted <i>in camera</i>)
DD	August 29, 2012 Email from C. Manning to N. Greyson, J. Jennings (Doc ID 00115060) (Submitted <i>in camera</i>)